

## 2nd Council Regular Meeting

Tuesday, February 20, 2024 6:30 PM

City Hall  
704 6th Street  
St. Paul, NE 68873

### Agenda

1. Mayor Mike Feeken calls City Council meeting to order, with the "Pledge of Allegiance" and the "Open Meeting Statement" as required by NE State Statutes 84-1407 through 84-1414; Mayor Feeken also states that the City Council may vote to go into Closed Session on any agenda item as allowed by NE State Statute 84-1410.
2. Submittal of Requests for Future Agenda Items
3. Reserve Time to Speak on an Agenda Item
4. **Mayor Mike Feeken opens five (5) Public Hearings:**
  - (1) Public Hearing on request by Shannon Bergman dba Sweet Shoppe Café, 605 Howard Avenue regarding a "Class C" Liquor License #126231.
  - (2) Public Hearing on request by Evelyn Dvorak to rezone parts of Lots One (1), Two (2), and Three (3), Block 116, Original Town of St. Paul, NE and a part of the vacated street from R-3 Residential Zoning District to I-1 Light Industrial Zoning District. The property is located at the southwest corner of 4th and Baxter Streets;
  - (3) Public Hearing on request by Dan Scheer to rezone Lot Four (4), Block 109, Original Town of St. Paul, NE from R-3 Residential Zoning District to I-1 Light Industrial Zoning District. The property is located at the northwest corner of 4th and Baxter Streets;
  - (4) Public Hearing on request to amend Section 9.21 of St. Paul Zoning Regulations pertaining to "Outdoor Storage Containers"; and
  - (5) Public Hearing on request by St. Paul Development Corp. (SPDC) to amend Section 5.9 of St. Paul Zoning Regulations to allow multifamily housing in I-1 Light Industrial Zoning Districts.
5. The Middle Loup Subdivision bids were received and opened on Wednesday, February 14, 2024, at 2:00 p.m. in the City Council Chambers. A total of four (4) bids were submitted and have been reviewed by Olsson's, Grand Island, NE. After the review of the bids, Olsson's recommendation that "Notice of Award" be given to the apparent low bidder, Elsbury Construction LLC, in the contract amount of \$3,218,403.94.  
Discuss - Approve / Deny the Middle Loup Subdivision "Notice of Award" to be given to Elsbury Construction, LLC in the contract amount of \$3,218,403.94.
6. Discuss - Approve / Deny the City of St. Paul abating nuisance at 304 8th Street (David Eiberger) pertaining to an unlicensed Blue Honda Civic vehicle.

7. Discuss - Approve / Deny Consent Agenda Items: (1) Treasurer's Report January 2024; (2) February 5, 2024 (regular) Council minutes and February 14, 2024 (special) Council minutes; (3) Planning Commission Zoning Permits and Minutes; and (4) February 20, 2024, disbursements.

8. Discuss - Approve / Deny Bed Head Coffee Co. (716 Howard Avenue) "Property Improvement Program" application regarding paving the west parking lot with 6 inch concrete. The project amount is \$\$25,638.

9. Mayor Feeken opens the public comment period on request from Shannon Bergman dba Sweet Shoppe Café, 605 Howard Avenue for a Class "C" Liquor License #126231.

(a) Closed Public Hearing;

(b) Approve / Deny Shannon Bergman dba Sweet Shoppe Café, 605 Howard Avenue for a Class "C" Liquor License #126231.

10. Mayor Feeken opens the **Public Comment** period regarding the request by Evelyn Dvorak to rezone parts of Lots One (1), Two (2), and Three (3), Block 116, Original Town of St. Paul, NE and a part of the vacated street from R-3 Residential Zoning District to I-1 Light Industrial Zoning District. The property is located at the southwest corner of 4th and Baxter Streets.

a. Close Public Hearing;

b. Discuss - Approve / Deny Evelyn Dvorak's zoning request

11. Introduce Ordinance 1044; relating to the re-zoning of Real Property in the City of Saint Paul, Howard County, Nebraska, to change the zoning map and comprehensive plan of the City of Saint Paul in conformity with said change; and to provide for an effective date (March 15, 2024). This pertains to a tract of land more legally described as a part of Lots One (1), Two (2) and Three (3), Block 116, Original Town of Saint Paul, and a part of vacated street, Howard County, Nebraska.

(a) Introduce Ordinance, with no second or no roll call;

(b) Waive three (3) readings of the ordinance, with second and roll call;

(c) Final Passage, with second and roll call.

12. Mayor Feeken opens **Public Comment** period regarding Dan Scheer requesting to rezone Lot Four (4), Block 109, Original Town of St. Paul, NE from R-3 Residential Zoning District to I-1 Light Industrial Zoning District. The property is located at the northwest corner of 4th and Baxter Streets;

(1) Close Public Hearing;

(2) Discuss - Approve / Deny rezoning request.

13. Introduce Ordinance 1045; relating to the re-zoning of real property in the City of Saint Paul, Howard County, Nebraska, to change the zoning map and comprehensive plan of the City of Saint Paul in conformity with said change; and to provide for an effective date (March 15, 2024). This pertains to a tract of land more legally described as Lot Four (4), Block 109, Original Town of Saint Paul, Howard County, Nebraska.

(a) Introduce Ordinance, with no second or no roll call;

(b) Waive three (3) readings of the ordinance, with second and roll call;

(c) Final Passage, with second and roll call.

14. Mayor Feeken opens **Public Comment** period regarding a request to amend Section 9.21 of St. Paul Zoning Regulations pertaining to "Outdoor Storage Containers".

a. Close Public Hearing;

b. Discuss - Approve / Deny amendment to Section 9.21 of St. Paul Zoning Regulations pertaining to "Outdoor Storage Containers".

15. Introduce Ordinance 1046; to amend St. Paul Zoning Regulations; to amend Section 9.21 pertaining to "Outdoor Storage Containers"; to repeal any ordinance, or parts of any ordinance in conflict with this ordinance; to provide for the effective date of such ordinance; and to provide for the publication of this ordinance in pamphlet form.

a. Introduce Ordinance, with no second and no roll call;

b. Waive three (3) readings of the Ordinance on three (3) different occasions, with second and roll call;

c. Final Passage of Ordinance, with second and roll call.

16. Mayor Feeken opens Public Comment as requested by the St. Paul Development Corp. (SPDC) to amend Section 5.9 of St. Paul Zoning Regulations to allow multifamily housing in I-1 Light Industrial Zoning District of the Middle Loup Subdivision.

(a) Close Public Hearing;

(b) Discuss - Approve / Deny amendments to Section 5.9 of St. Paul Zoning Regulations to allow multifamily housing in I-1 Light Industrial Zoning District.

17. Introduce Ordinance 1043; to amend the St. Paul Zoning Regulations; to amend Sections 5.9.01 and 5.9.04 to allow multifamily housing as a Conditional Use within the I-1 Light Industrial Zoning District; to repeal any ordinance, or parts of any ordinance in conflict with this ordinance; to provide for the effective date (March 15, 2024) of such ordinance; and to provide for the publication of this ordinance in pamphlet form.

(a) Introduce, with no second or roll call;

(b) Waive three readings of ordinance on three (3) different occasions, with second and roll call;

(c) Final Passage, with second and roll call.

18. The Royal Coachmen will be hosting the 3rd Annual Cars and Coffee event. The event has doubled in size from the 1st to the 2nd year. Parking was almost an issue last year.

Discuss - Approve / Deny Royal Coachmen requesting permission to close 7th Street from Howard Avenue to Jay Street and Indian Street from 7th Street to the Hometown Market parking lot entrance on Saturday, April 6, 2024, from 7:00 a.m. to 12:00 p.m.

Barricades needed? Cost?

19. Discuss - Approve / Deny State of NE 65990264 Lease Agreement - Addendum #8 between the City of St. Paul, as "Lessor," and Department of Administrative Services, State Building Division, as "Lessee", acting on behalf of Nebraska State Patrol, as "Tenant Agency," for office space located at 956 13th Avenue, St. Paul, NE 68873. The term of the lease shall be renewed for a two (2) year renewal period commencing March 1, 2024, and ending on February 28, 2026. The monthly rent of \$250.00 will remain the same.

Per Alexa Schoen from State of NE - Lease Agreement #2 (No Other Changes): Lease amount \$250 will not be stated in the "Agreement" due to there being no change in the dollar amount.

20. Discuss - Approve / Deny removing Joel Bergman from the City of St. Paul's Safe Deposit Box #100123 at Citizens Bank & Trust and adding Mayor Mike Feeken, City Clerk Connie Jo Beck, Deputy Clerk Laura Berthelsen and City Treasurer Sally Einspahr.

21. Discuss - Approve / Deny the City of St. Paul advertising for a Recycling Center (Landfill) employee;

a. Approve Hourly Wage

22. Discuss a policy on an allowable distance in order for a Police Officer to take a patrol vehicle home; (Possible Action).

23. Utilities Superintendent Helzer updates

24. Chief of Police Howard updates:

(1) Nuisance & Incident Report;

25. Mayor Mike Feeken updates:

(1) Police Officer Matt Sample is requesting permission to work from home on his therapy days so that he is better able to keep his leg elevated. Per the League Association of Risk Management (LARM), Officer Sample is allowed to perform his job duties from wherever, as long as the job duties are within his restrictions. If the City is okay with him working from home on days he has physical therapy, that is fine;

(2) City of St. Paul's January 2024 Snow Removal Efforts spreadsheet;

(3) A Police Officer collided with a raccoon, damaging the patrol car; the bumper will need to be replaced;

(4) Bat removal in certain cases in St. Paul.

26. Public Announcements

27. Closed Session: The City of St. Paul reserves the right to go into Closed Session when it is clearly necessary to protect the public interest or for the prevention of needless injury to the reputation of an individual; or pending litigation

28. Mayor Feeken adjourns City Council meeting.

29. Informational Items:

(1) St. Paul Library Board minutes January 17, 2024;

(2) Receipts (Bookkeeping) January 2024;

**This agenda, including supporting documentation, is available for public viewing during normal business hours at the City Office, 704 6th Street, St. Paul, Nebraska.**

The City of St. Paul abides by the Nebraska Open Meetings Act in conducting business. A copy of the Nebraska Open Meetings Act is on display in the meeting room as required by Nebraska State Law.

The Mayor and City Council reserve the right to enter into an Executive Session at any time during the meeting, in accordance with the Nebraska Open Meetings Act, even though the closed session may not be indicated on the Agenda.

It is the intention of the Mayor and City Council to take up the items on the agenda in sequential order. However, the Mayor and City Council reserves the right to take up matters in a different order to accommodate the schedules of the City Council members, person(s) having items on the agenda, and the public. The City of St. Paul reserves the right to adjust the order of items on the agenda.

Anyone wishing to speak may be limited to three (3) to five (5) minutes per person. Please

utilize the podium and clearly state your name and address for the record and the agenda topic you wish to speak upon in a professional manner.